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GENERAL ASSEMBLY
Fiftieth session
Item 114 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Situation of human rights in the former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the members of the Security Council and to the International Conference on the Former Yugoslavia the periodic report prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, on the situation of human rights in the territory of the former Yugoslavia, in accordance with paragraph 42 of Commission on Human Rights resolution 1995/89 of 8 March 1995.

* A/50/50/Rev.1.

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Annex

Periodic report submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to paragraph 42 of Commission resolution 1995/89 of 8 March 1995

Situation in the region of Banja Luka, northern Bosnia and Herzegovina

Introduction

1. The world's attention was first called to the policy of "ethnic cleansing" in northern Bosnia and Herzegovina in the spring of 1992. The Commission on Human Rights condemned those practices for the first time in its resolution 1992/S-1/1, adopted on 14 August 1992.

2. The Special Rapporteur described those practices in his first report E/CN.4/1992/S-1/9 (paras. 6-23), as well as in following reports: E/CN.4/1992/S-1/10 (paras. 1, 6-8); A/47/666; S/24809 (paras. 8-27); E/CN.4/1993/50 (paras. 16-31, 82-89, 95-101); E/CN.4/1994/3 (paras. 5-42); E/CN.4/1994/4 (paras. 6, 43); E/CN.4/1994/47 (paras. 18, 75-76, 79-82, 84-85, 89-91, 98); E/CN.4/1994/110 (paras. 8-13, 40-44, 50, 73, 75, 226, 283-293); E/CN.4/1995/10 (para. 22); A/49/641-S/1994/1252 (paras. 11-24, 79, 87); E/CN.4/1995/57 (paras. 7-9).

3. The present report has been issued in response to the most recent stages of this campaign, taking place in the Banja Luka region of Bosnia and Herzegovina, which threatens to force from the territory virtually the entire remaining non-Serb population.

Background

4. Before the war Banja Luka and its environs used to be a multicultural and multi-ethnic region. Diverse religions were tolerated; therefore a large number of cultural and religious sites like mosques, churches and cathedrals existed in harmony. According to the pre-war 1991 census, the territory of what is now northern Bosnia and Herzegovina had a population which included 625,000 Serbs, 356,000 Muslims and 180,000 Croats. Estimates made by the Office of the United Nations High Commissioner for Refugees (UNHCR) place the total number of Serbs now at some 719,000, while Muslims number about 37,000 and Croats 30,000 - signifying a reduction by some 90 per cent of the local Muslim population and by 85 per cent of the Croat population since the beginning of the war. 1/ Nearly 3,000 refugees crossed into Croatia in the first three months of 1995, while hundreds of other persons have left for destinations elsewhere in Bosnia, including some 300 Muslims who arrived in central Bosnia via Turbe on 9 March 1995.

5. Since the beginning of the war a large number of mosques, including the renowned Tefterdarija and Ferhadija mosques, as well as many churches, have been destroyed or damaged.

6. It is important to note that the de facto Bosnian Serb authorities 2/ consistently refuse access by human rights monitors to territories controlled by them. The cease-fire agreements reached towards the end of 1994 included specific provision for international monitoring of the human rights situation throughout the territory of Bosnia and Herzegovina. While the authorities of that Republic have always displayed a willingness to cooperate without being obstructive in any way, the Bosnian Serb authorities have never implemented the commitments that they have undertaken.

Recent developments

7. The persecution of non-Serbs in and around Banja Luka reached a critical point in February 1995, when certain towns suffered sustained campaigns of violence directed principally against the Muslim inhabitants, and also, increasingly, against Bosnian Croats as well. Personal security has been most at risk in smaller outlying towns and villages, where gangs appear to be operating with impunity. In Gradiska, near the Croatian border, reliable reports were received of armed men in civilian dress, calling themselves policemen, systematically moving from house to house over the course of some 10 days, breaking in, demanding money and valuables and beating residents. At least two persons were shot and had to be hospitalized in serious condition.

8. Similarly, in villages near Kotor Vares, notably Dzube and Garici, small groups of armed men swept through on successive nights, plundering homes and beating inhabitants indiscriminately and severely, including women and elderly persons. One man was found the day after one attack, nearly unconscious and bleeding from the ears. Another family reported that the attackers broke into their home, threatened to rape one woman and held a knife to her child's throat, and left only after the family managed to scrape together DM 300 to hand over to them.

9. In the cities of Banja Luka, Prijedor and Sanski Most, familiar patterns of intimidation and discrimination have persisted unchecked in recent months. Interviews with recently-arrived refugees in camps in Croatia reveal great consistency in the experiences suffered by non-Serbs in these localities. Armed persons are reported to be entering homes and seizing what they want. Although such incursions can happen at any time, they are more common at night. According to numerous testimonies received by the Special Rapporteur, the night-time is worse, because it is never known what can happen. Some refugees recounted spending nights with neighbours in fields near their homes, in order to avoid harm from possible intruders.

10. On the streets, the non-Serb population, especially Muslims, report feeling highly vulnerable. One man testified that he would only venture outside in the company of Serb acquaintances and another said he had remained hidden at home for most of the past two years, while his wife went out to buy food, since it is safer for women than for men on the streets. Testimonies that people have remained hidden in their homes for weeks and months at a time are commonplace. Outside, non-Serbs are subject to random beatings and routine humiliations. In addition, men may be summarily detained at any time and held for service in forced-labour brigades.

11. There are encouraging reports that significant numbers of the local Serb population refuse to take part in the discriminating practices against the non-Serb population. Those Serbs, however, are also living under constant pressure from nationalistic groups.

12. Numerous refugees recently arrived in Croatia attested that telephone lines of households belonging to non-Serbs throughout the region have been disconnected. That measure greatly increases their sense of isolation. Orders have also reportedly been given, without explanation, to non-Serbs in several communities around Banja Luka to keep the front doors of their homes unlocked at all times.

13. Croats in the Banja Luka area have suffered an increase in violence in recent months, especially following increased military activity by Bosnian Croat HVO (Croatian Defence Council) forces in south-western Bosnia and Herzegovina at the end of 1994. As noted in the Special Rapporteur's report of 16 January 1995 (E/CN.4/1995/57, para. 9), some 30 Bosnian Croats were arrested in front of a church at Barlovci, near Banja Luka, while waiting for the start of Christmas services on 25 December 1994, and were subsequently taken by military police to army headquarters, where they were badly beaten. Reliable reports indicate that several small Croat villages south of Banja Luka were victimized early this year by roving gangs similar to those which have pillaged Muslim communities.

14. In the early morning hours of 28 February 1995, virtually the entire local leadership of the Muslim humanitarian organization Merhamet was arrested in a coordinated sweep by the de facto authorities in the cities of Banja Luka, Prijedor and Sanski Most. A total of 13 persons, several of whom are over 70 years of age, were taken into custody; 3 were released a few days later. At the time of issuing of this report, the remaining 10 were still being held in a military prison, reportedly charged by the de facto regime with the crime of espionage. Merhamet has long been active in the

former Yugoslavia, and recently has provided vital humanitarian assistance to Muslims and others throughout the region. The Special Rapporteur is deeply concerned for the welfare of the detained Merhamet leaders, whose arrests appear to have been politically motivated and who reportedly have been subjected to mistreatment while in prison. There is also cause for concern that their arrest will have an adverse impact on the distribution of humanitarian assistance in northern Bosnia and Herzegovina. The Special Rapporteur has sent a letter to Mr. Karadzic requesting the immediate release of those detainees. As of the date of the present report no answer has been received.

15. It has been reported that on 18 March 1995 de facto military authorities took some 200 Muslims of draft age from the Teslic municipality to an unspecified destination. Allegedly, their whereabouts are still unknown.

16. Some acts of violence against non-Serbs in the Banja Luka area are attributed by the victims and observers to members of local civilian or military security forces, while others are ascribed to so-called criminal elements. Some assaults appear to occur spontaneously, as a direct consequence of reverses suffered by Bosnian Serb forces on the battlefield. In any case, it is evident that as a rule, the de facto authorities condone the violence. Complaints made to these authorities of attacks against civilians routinely go unheeded, and there is scant evidence of measures being taken to protect threatened communities. One exception recently occurred in the Gradiska municipality, where persons allegedly responsible for the wave of attacks in late February were reportedly arrested in early March.

17. The persistent threat of violence only deepens the long-standing climate of hostility to which non-Serbs have been exposed in and around Banja Luka. Most Muslims and Bosnian Croats have long since been dismissed from their jobs, usually suffering cancellation of any pension benefits they may have accrued over the years. Some individuals report having their title to their homes summarily revoked. Non-Serb teenagers describe a fearful atmosphere in some secondary schools, where Serb classmates sometimes carry weapons and threats against Muslims and Bosnian Croats are commonplace.

18. Access to medical care is reported to be difficult for non-Serbs. One investigation attributed this mainly to discrimination against the poor rather than nationality-based discrimination: since non-Serbs have usually been deprived of their jobs and are not covered by health insurance, they have no means to pay and thus are excluded from basic care. 3/ Nevertheless, some refugees have reported that they were required to pay high fees in advance while Serbs frequently, on the basis of service in the military, enjoy a general entitlement to health care regardless of ability to pay.

Forced labour

19. An important phenomenon continuing unabated in northern Bosnia and Herzegovina has been the use on a large scale of civilians for unpaid forced labour. Persons required to perform this activity by the de facto authorities are men from as young as 16 to 65 years of age and more; recent reports suggest that childless women are also subject to the work requirement. Recruits are almost invariably members of the Muslim, Croat and Roma population.

20. Although the programme of forced labour appears well organized by the de facto authorities, the actual process of pressing individuals into the work brigades appears highly irregular: many reports have been received by the Special Rapporteur of men being seized by local authorities in their homes without warning, as happened to a group of some 25 men from one street in Banja Luka on a day in September 1994. Other reports have described non-Serbs being stopped on the streets and summarily dispatched to labour sites without any opportunity to notify relatives. This practice has been a major cause of persons' fear of emerging from their homes for months at a time.

21. Numerous testimonies confirm that forced-labour brigades are frequently deployed by the Bosnian Serb authorities at or near active military confrontation lines. They often remain at these locations for months at a time, working 12-hour shifts and more under extremely onerous conditions. Common tasks required of workers include digging trenches, moving supplies and evacuating dead and wounded combatants. Proximity to the fighting places members of these brigades at great risk. One refugee now in Croatia recounted how a grenade fell through the roof of his work team's shelter at a location near the Doboj front line one night, wounding a friend in the leg. After being given cursory medical treatment at a field hospital, the victim was returned soon thereafter to resume work. Reliable reports indicate that numerous members of work brigades have been killed or wounded in front-line areas.

22. In early December 1994, a group of some 250 Croats and Muslims from the Banja Luka area were rounded up by military police and sent to the region around Glamoc and Grahovo, about 100 kilometres south of Banja Luka, where the Bosnian Croat HVO army was conducting offensive operations against Bosnian Serb positions. The men reportedly suffered verbal and occasional physical abuse at the hands of Serb soldiers, often went without regular meals and slept in roofless shelters or in the open. According to numerous reliable testimonies, members of these brigades were forced to dig trenches in front of Serb positions, in effect being made to serve as "human shields" against the advance of Croat forces. On the night of 23-24 December, an HVO offensive resulted in heavy artillery exchanges which reportedly caused the deaths of at least six of these civilian labourers. Some 48 others were found alive in captured territory and taken to the Bosnian Croat-held town of Livno; others were reportedly allowed by Bosnian Serb forces to return to the Banja Luka area only late in January 1995, after the fighting had decreased.

23. Labourers not dispatched to front lines by the de facto authorities are forced to perform arduous and often humiliating tasks elsewhere in northern Bosnia and Herzegovina. Among the most common of these activities are cutting firewood, harvesting crops and performing other agricultural chores, and even reportedly working in privately-owned factories, as always without pay. Non-Serbs of high professional status are frequently assigned manual chores such as sweeping streets and collecting rubbish. One recent refugee recounted how her husband was taunted by children who tossed litter from a school window as he cleaned the street below.

Departure procedures

24. Testimonies received by the Special Rapporteur from recently-arrived refugees indicate it is the forced-labour obligation as well as the virulence of the ongoing campaign of violence which have resulted in practically all

non-Serbs fervently wishing to leave the Banja Luka area at present. Much of the remaining Muslim and Bosnian Croat population is in the process of attempting to secure exit permits, and many hundreds of people have appealed to international agencies for help in arranging their immediate evacuation.

25. For persons unable to meet the high costs imposed for flight across the border into Croatia, the only alternative continues to be displacement into other areas of Bosnia and Herzegovina, for which the payment now being required is somehow smaller. Tens of thousands of Muslims and Bosnian Croats have taken this step since the beginning of the war.

26. Procedures imposed by the de facto authorities for departure to Croatia are complicated and typically result in the surrender of virtually all of the intending exile's assets to the authorities and to certain local agencies. Persons wishing to leave must apply through these agencies (one of which used to be the local Red Cross) and paying amounts ranging from DM 300 to 500 per person, and sometimes more. They must also pay fees amounting to several hundred DM to various municipal offices, and must pay for bus passage to the border with Croatia. Property owners are normally required to relinquish in writing their claim to their homes, without reimbursement. The Special Rapporteur has received testimonies from persons who sold everything they owned to pay for permission to depart. Valuables which people have managed to take with them have reportedly been confiscated at the crossing into Croatia by Bosnian Serb border guards.

27. Information recently received by the Special Rapporteur indicates that authorities in the capital of the so-called "Serbian Republic" in Pale have recently attempted to take control over the departure process from the local authorities in Banja Luka - a shift which may result in new restrictions on freedom of movement. Reportedly, permission of the military authorities must also be obtained in order to leave the territory. These developments apparently resulted in the turning back of one group of some 350 intending refugees at Gradiska, near the Croatian border, by Bosnian Serb police on 17 March, on the grounds that the group allegedly lacked the proper departure authorization.

28. Moreover, the authorities in Pale have reportedly decided to forbid departure by all remaining draft-age males. This has placed those persons who had already received exit authorization and surrendered their property in an especially difficult situation.

Conclusions and recommendations

29. The de facto Bosnian Serb authorities are very close to attaining their apparent aim of achieving "ethnic purity" in territory under their control. Non-Serbs have been subjected to unrelenting terrorization and discrimination, and it appears that virtually none wish to remain in northern Bosnia and Herzegovina.

30. Recent evidence suggests the de-facto authorities may stop somewhat short of achieving 100 per cent "ethnic purity". While local authorities in the Banja Luka area reap considerable revenue from fees imposed on persons applying to leave, the Pale authorities seem to have moved to slow down the

last stages of the exodus. Among their motives may be a wish to retain some non-Serbs for forced labour, and to have people for inclusion in negotiated population exchanges.

31. The increased operations of so-called criminal gangs in Banja Luka area must be noted. These gangs operate in a paramilitary style and one of their purposes appears to be to carry out "ethnic cleansing" without directly implicating the authorities. Nevertheless, a large amount of evidence suggests that the de facto authorities are personally and directly responsible for the massive human rights abuses which have taken place in northern Bosnia and Herzegovina. Such evidence includes the authorities' failure to take even minimal steps for the protection of victimized populations.

32. The de facto authorities continue relentlessly to compel non-Serbs to serve in forced-labour brigades. Numerous aspects of this forced labour, most notably the frequent deployment of civilian workers to front-line areas, violate international human rights and humanitarian law. 4/

33. The de facto authorities have violated from the very beginning their obligations under the cease-fire agreements of December 1994 to allow access of human rights monitors into territories controlled by them.

34. The Special Rapporteur, once again, calls upon the responsible authorities to cease immediately all practices of "ethnic cleansing", to provide adequate protection to all groups subjected to discrimination in the Banja Luka region and to facilitate the restitution of property. Furthermore, he urges that all those responsible for crimes be brought to justice and that conditions be created for the return in safety and dignity of all displaced persons and refugees.

35. The Special Rapporteur calls upon the international community to exercise all possible pressure to obtain access of United Nations civilian police (UNCIVPOL) officers and human rights monitors to territories controlled by the Bosnian Serb authorities.

Notes

1/ "Information notes on the former Yugoslavia", Office of the Special Envoy, UNHCR (Zagreb, 11 April 1995).

2/ Wherever the term "Bosnian Serb forces" or "Bosnian Serb de facto authorities" are used in this report, reference is being made, unless otherwise indicated, only to Bosnian Serbs who are in the military or civilian service of the de facto administration which has its political headquarters at Pale. In particular, no reference is intended, or to be implied, to any Bosnian Serbs who are loyal to the Republic of Bosnia and Herzegovina.

3/ "WHO's humanitarian assistance programme", World Health Organization, Zagreb Area Office, Report No. 35 (March 1995).

4/ For example, The Geneva Conventions of 12 August 1949 (common art. 3); Protocol II Additional to the Geneva Conventions (arts. 4(1), 4(2), 5(1)(e), 13, 17).

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Fiftieth session
Item 28 of the preliminary list*
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 19 July 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Jordan to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the statement of His Excellency Mr. Abdul-Karim Kabariti, Minister for Foreign Affairs of the Hashemite Kingdom of Jordan, regarding developments in the situation in Bosnia and Herzegovina.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 28 of the preliminary list, and of the Security Council.

(Signed) Fuad A. BATAINEH
Chargé d'affaires a.i.

* A/50/50/Rev.1.

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ANNEX

Statement made on 19 July 1995 by the Minister for Foreign Affairs of Jordan regarding developments in the situation in Bosnia and Herzegovina

The Government of the Hashemite Kingdom of Jordan notes with deep concern and with the strongest possible censure the deterioration of the situation in the Republic of Bosnia and Herzegovina, which has been caused by acts of Serb aggression and the grave human rights violations that have been committed there, with their succession of atrocities inflicted on the inhabitants of Bosnia and Herzegovina as part of the policy of the ethnic cleansing of Bosnian Muslims.

The Serb forces are continuing their practice of occupying safe areas, forcing their inhabitants into exile, or killing or raping them or sending them to concentration camps. This is taking place in the heart of civilized Europe during the era of human rights, democracy and freedom. It would be reprehensible in the extreme not to put an end to such practices, and the United Nations and the great Powers should not remain mere spectators.

The fact that the United Nations, the great Powers and the North Atlantic Treaty Organization (NATO) are renouncing their political, military, humanitarian and moral responsibilities is a source of perplexity and indignation, especially when one sees the tragedy of Srebrenica and its inhabitants being repeated at this very moment in the safe area of Žepa.

While condemning in the most vigorous terms the acts of aggression that have been perpetrated by the Serbs, the Government of the Hashemite Kingdom of Jordan requests the United Nations and the great Powers to carry out their mandate and assume their responsibilities by putting an end to this aggression and this tragedy, failing which we shall demand that they allow the Bosnian people to exercise their basic, legitimate and inalienable right to their legitimate defence, by immediately lifting the embargo on arms to Bosnia and Herzegovina and giving all those who are willing to do so the opportunity to make their contribution to the defence of the Bosnian people and State.

(Signed) Abdul-Karim KABARITI
Minister for Foreign Affairs

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S/1995/599
19 July 1995

ORIGINAL: ENGLISH

LETTER DATED 11 JULY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Illicit trafficking in nuclear materials continues and is a matter of growing concern. The States Parties to the Nuclear Non-Proliferation Treaty have decided to extend the Treaty indefinitely. The international community also needs to place constraints on non-State actors, whose activities are the more dangerous because of their clandestine nature. I have been following this issue closely for over a year. Some months ago I asked Mr. Jacques Attali to prepare for me a personal report on it. Mr. Attali's conclusions, which he has since published in book form, have strengthened my conviction that there is a need for concerted action by States and the relevant intergovernmental agencies.

I am in close touch with Dr. Hans Blix, the Director General of the International Atomic Energy Agency (IAEA), which is giving this issue high priority and has begun to execute an action plan to address it. The Agency's concern is matched by many Governments, as was demonstrated when, at its recent meeting in Halifax, the Group of Seven (G-7) accepted the offer of President Yeltsin to host a summit in the spring to discuss nuclear safety, including the issue of illicit trafficking. There is also a clear public perception that this is a serious matter, as evidenced by the number of references in the media and by the activity of non-governmental organizations.

In the circumstances the Security Council may wish to consider the usefulness of expressing its own appreciation of the importance of this issue by issuing a statement in which it would support the IAEA's efforts and call on the international community to increase its vigilance. The statement could also welcome the initiative of President Yeltsin. This action by the Council would complement the references to nuclear proliferation in its Statement of 31 January 1992.

I should be grateful if you could bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Security Council

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LETTER DATED 19 JULY 1995 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your letter of 11 July 1995 to the President of the Security Council (S/1995/599) concerning the problem of illicit trafficking in nuclear materials. The members of the Council extend their full support to the International Atomic Energy Agency and other international bodies for the work they are undertaking in this field. They note the initiative by the President of the Russian Federation to host a nuclear safety summit in Moscow early next year and express the hope that this issue will also be addressed there.

(Signed) Gerardo MARTÍNEZ BLANCO
President of the Security Council

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UNITED NATIONS **S**

Security Council

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S/1995/601
20 July 1995

ORIGINAL: ENGLISH

LETTER DATED 20 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF CROATIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter dated 20 July 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, Dr. Mate Granić, addressed to you (see annex).

I would kindly request your assistance in circulating this letter and its annex as a document of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires a.i.

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Annex

Letter dated 20 July 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

It is with serious concern that my Government is monitoring the ongoing offensive against the safe area of Bihać. This offensive is coordinated in Belgrade, and carried out by Yugoslav Army personnel in Croatia and Bosnia and Herzegovina, along with Croatian Serb and Bosnian Serb irregular forces, led by "Yugoslav Army" generals Mile Mrkšić and Manojlo Milovanović.

The information available indicates that the attack on the Bihać safe area is receiving strong support, with heavy artillery from the Croatian side of the border, by Croatian Serb irregular forces. About 9,500 troops from Croatian Serb "Lika Corps" and other units from sector "Glina" are participating in the offensive, and are attacking the southern part of the safe area of Bihać, blatantly violating the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina. The defending forces of the Army of Bosnia and Herzegovina Fifth Corps have been driven back up to 5 kilometres from the international border in some locations.

My Government is aware of the major build-up of Serb irregular forces in sectors "Knin" and "Glina", where most of the forcibly mobilized personnel from the "Federal Republic of Yugoslavia (Serbia and Montenegro)" have been sent. This has been accompanied by reinforcements in armaments and ammunition - in addition to the situation of which I have informed the Security Council on 28 June 1995 (S/1995/518). At present, an additional mixed artillery platoon has been deployed in the vicinity of Selište Drežničko, one anti-aircraft platoon of SA-2 "Volhov" SAM missiles in the vicinity of Rakovica, one unit of land-to-land missile launchers "Košava" in Rakovica - all of which are deployed in the ongoing offensive. The entire operation is supported by fighter/aircraft from the airfield in Udbina and rotary-wing aircraft "GaMa" deployed from the helicopter base in Krnjak - all locations in sector "Glina" in the occupied territories of Croatia.

In total, the reinforcements sent from the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to the occupied territories of Croatia number over 8,500 troops, including thousands of special unit troops, forcibly mobilized personnel, and hundreds of command personnel commissioned in the "Army of Yugoslavia". In this regard, I wish to reiterate that General Mrkšić has been recently transferred from the position of Assistant Chief-of-Staff for Commando Forces of the General Staff of the "Army of Yugoslavia", providing compelling evidence of Belgrade's active involvement in the Serbian military operations in the Republic of Croatia and in the Republic of Bosnia and Herzegovina.

Due to the volume of equipment deployed and the number of troops used in this offensive, and taking into consideration the strength of the attack, it can be estimated that the units of the Fifth Corps could be pressed back between 10 and 15 kilometres from the international border of Croatia and Bosnia and Herzegovina within the next 36-48 hours.

Since the United Nations Confidence Restoration Operation in Croatia (UNCRO) has not been deployed in accordance with its mandate, and its personnel is experiencing severe restriction on movement throughout the occupied territories of Croatia, it might not be in the position to confirm the above information. Therefore, the Republic of Croatia calls upon Member States that have the intelligence resources available to independently confirm the situation on the ground from their national sources.

I wish to reiterate the position of the Croatian Government, expressed on the adoption of Security Council resolution 1004 (1995), that the displacement of the population of the Bihać safe area - numbering about 200,000 - would be considered a serious threat to the security and stability of the Republic of Croatia. Therefore, if the status of Bihać as a safe area becomes threatened, the Republic of Croatia may be compelled to take the necessary measures to secure its status and security.

(Signed) Mate GRANIĆ
Deputy Prime Minister and
Minister for Foreign Affairs

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21 July 1995

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GENERAL ASSEMBLY
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QUESTION OF CYPRUS

SECURITY COUNCIL
Fiftieth year

Letter dated 21 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention and that of the members of the General Assembly and the Security Council to some very serious developments in Cyprus resulting from and indicative of the aggressive aims of the Turkish occupation forces in Cyprus.

Only recently, you brought to the attention of the Security Council (see S/1995/561) the extensive constructions the Turkish side had undertaken on the Rokkas Bastion in contravention of the 1989 unmanning agreement between the United Nations Peace-keeping Force in Cyprus (UNFICYP), the Cyprus National Guard and the Turkish forces in Cyprus.

While the problem created by the Rokkas Bastion construction has not yet been satisfactorily resolved, with the Security Council still awaiting to be informed by you of the relevant developments, new information has surfaced indicating that the Turkish forces in Cyprus have secretly constructed extensive military fortifications all along the buffer zone.

The strengthening of the offensive capabilities of the Turkish occupation forces in Cyprus is a matter of grave concern. As you noted in your report on UNFICYP (S/1995/488) the northern part of the island, with its garrison of some 30,000 Turkish troops and some 4,500 Turkish Cypriot troops, remains one of the most highly militarized areas in the world in terms of the ratio between the numbers of military personnel and civilians. In addition to the grave concerns raised as a result of the numerical strength of the Turkish occupation troops, equal, if not graver, concerns are raised with respect to the upgrading of their armaments. In the same report, you stated that during the reporting period, the Turkish forces had completed their programme to upgrade their fleet of between 250 and 300 tanks to the M48 A5 standard and had introduced new artillery

systems, including twin barrelled, towed anti-aircraft guns and a battalion of 155 mm self-propelled howitzers. You stated that these changes substantially enhanced the military capabilities of the Turkish forces in Cyprus.

The strengthening of the offensive capabilities of the Turkish occupation forces in Cyprus, coupled with the completion of extensive fortifications all along the buffer zone, are indicative of the real intentions of Turkey in Cyprus: that is, the imposition of a military solution, something to which Turkey resorts with utter contempt to international law and civilized behaviour. The Turkish military invasion of 20 July 1974, the twenty-first anniversary of which was celebrated in the occupied areas only yesterday with military parades during which Turkish air-force F-16 aircraft and helicopters violated the airspace of Cyprus in a show of arrogance and military might, is a constant reminder to the international community of Turkey's way of dealing with weaker neighbours.

Referring to the Turkish celebrations on the twenty-first anniversary of the invasion of Cyprus by Turkey, the Turkish daily Hurriyet, in a front-page article entitled "Invasion celebrations" on 20 July 1995, reveals the existence of military plans which can be implemented at any time against Cyprus. In these plans, according to Hurriyet, areas of Turkish attack have been defined on maps as well as in other information. Hurriyet's article confirms the fact that, as far as Turkey is concerned, the military operation in Cyprus was not over with the occupation of almost 40 per cent of Cyprus in 1974. It is an ongoing process with well defined objectives, which, unless firmly rebuffed by the international community, Turkey will implement as it implemented the 1974 invasion on the island.

The Government of the Republic of Cyprus strongly denounces the latest aggressive acts of Turkey, which constitute a direct threat to the peace and security in the island and in the eastern Mediterranean in general, a flagrant violation of the spirit of the 1989 unmanning agreement and of the recently adopted Security Council resolution 1000 (1995) of 23 June 1995.

The Government of the Republic of Cyprus considers it imperative that all these Turkish military fortifications along the buffer zone, which may be used by the occupation army for launching an attack, be demolished immediately, under UNFICYP supervision.

The Government of the Republic of Cyprus hopes that you will take all measures necessary for resolving this extremely serious problem, which constitutes a new source of tension and threatens the security of the island and of the region.

I should be grateful if you would have the present letter circulated as a document of the forty-ninth session of the General Assembly, under item 51, and of the Security Council.

(Signed) Alexandros N. VIKIS
Chargé d'affaires a.i.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/50/303
S/1995/603
21 July 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of the
preliminary list*
LAW OF THE SEA
STRENGTHENING OF SECURITY AND COOPERATION
IN THE MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 20 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Greece to the United Nations addressed to the Secretary-General

My Government had wished not to carry on the correspondence on the issue of the recent Turkish threats against my country, which were brought to your attention by Ambassador Christos Zacharakis in his letters dated 21 and 29 June 1995 (A/50/256-S/1995/505 and A/50/264-S/1995/526). However, I am compelled to come back to this matter, hopefully for the last time, since some points contained in the letter dated 12 July 1995 addressed to you by the Permanent Representative of Turkey (A/50/279-S/1995/568) cannot be ignored.

Once again, Turkey does not even attempt to conceal the threatening and expansionist views which it harbours against my country, in blatant violation of international law and the Charter of the United Nations. Furthermore, it continues to stand by its persistent practice of distorting historical facts and the fundamental principles of Greek foreign policy. In this context, Turkey misrepresents the struggle for freedom of the Greek people who, like other Balkan nations, were subjugated under Ottoman rule for more than four centuries, as its expansionist policy at Greek expense.

As regards the fallacious and slanderous allegations contained in the letter, concerning my country's stance on the issue of terrorism, I will not limit myself to a flat and categorical contradiction, taking also into account

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* A/50/50/Rev.1.

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the fact that no probative evidence whatsoever substantiating the charges has ever been produced. I would like to add, on this point, that Turkey should first make sure that it has cleared up the shambles in its own back yard by restoring democratic freedoms for the whole of its population before it attempts to find scapegoats and to export the internal problems created by its own policies. This would serve not only the goal of stability in the area, but also the interests of Turkey, which takes satisfaction in picturing itself as a model of a secular State that nourishes the ambition to promote its relations with the European Union.

Finally, as regards Turkey's "readiness to engage in a process of dialogue" with Greece, I would like to point out that such a dialogue can only be meaningful and worthy of its name if all parties to it refrain from threats, unfounded allegations and provocative violations of fundamental principles of international law. Unfortunately, Turkey's behaviour gives ample proof that its "readiness for dialogue" is not an exercise in honesty and good intentions, but rather in propaganda.

I would like to request that this letter be circulated as a document of the General Assembly, under items 39, 75 and 81 of the preliminary list, and of the Security Council.

(Signed) Vassilis KASKARELIS
Deputy Permanent Representative
Chargé d'affaires a.i.

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General Assembly
Security Council

Distr.
GENERAL

A/50/303*
S/1995/603*
24 July 1995

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GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of the
preliminary list**
LAW OF THE SEA
STRENGTHENING OF SECURITY AND COOPERATION
IN THE MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

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* Reissued for technical reasons.

** A/50/50/Rev.1.

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(Signed) Vassilis KASKARELIS
Deputy Permanent Representative
Chargé d'affaires a.i.

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21 July 1995

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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication, dated 17 July 1995, which he has received from the Acting Director General of the International Atomic Energy Agency (IAEA).

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Annex

Letter dated 17 July 1995 from the Acting Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General

I refer to section III of the IAEA's seventh semi-annual report (document S/1995/287 dated 11 April 1995) on the implementation of the IAEA's plan for ongoing monitoring and verification of Iraq's compliance with the relevant obligations specified in UNSC resolutions 687 (1991) and 715 (1991).

This section addressed the implications of two, single page, documents which were represented as official Iraqi correspondence, generated in April/May 1994, suggesting the reconstitution of a nuclear weapons programme.

As indicated in paragraph 20 of that report, the IAEA undertook to keep the Security Council informed of the outcome of the IAEA's investigation into this matter.

Accordingly, I am requesting you kindly to transmit the enclosed report on the IAEA's investigation into this matter to the Security Council.

The Director General and his staff are available for any consultations you or the Council may wish to have.

(Signed) QIAN Jihui
Acting Director General

Appendix

Follow-up to the Seventh Report of the Director General of the International Atomic Energy Agency on the Implementation of the Agency's Plan for Ongoing Monitoring and Verification of Iraq's Compliance with Paragraph 12 of United Nations Security Council Resolution 687 (1991)

Section III of the IAEA's seventh semi-annual report (document S/1995/287 dated 11 April 1995) on the implementation of the IAEA's plan for ongoing monitoring and verification of Iraq's compliance with the relevant obligations specified in UNSC resolutions 687 (1991) and 715 (1991), addressed the implications of two, single page, documents which were represented as official Iraqi correspondence, generated in April/May 1994, suggesting the reconstitution of a nuclear weapons programme.

As first indicated in an article published in the London Sunday Times on 2 April 1995, the documents had been received by the newspaper in late February from an anonymous sender. Copies of the documents were obtained by the IAEA on 4 April 1995.

As indicated in S/1995/287, the IAEA had initiated an investigation with the aim of determining the authenticity and clarifying the substance of these documents.

On 5 May 1995, as this investigation was nearing completion, an additional set of three documents was received by the IAEA. This second set had been received by a journalist in another Member State around the same time as the first set of documents had been received in the United Kingdom. The second set was clearly related to the same subject and it was quickly determined that both sets originated from the same source.

The task of the IAEA remained unchanged, though somewhat expanded, namely to determine the authenticity of the documents and of the information contained therein - the additional documents providing a broader base on which to make that determination.

The IAEA has now completed its investigation which has entailed a detailed analysis of the form and content of the documents - including their comparison with the extensive database of documents seized in Iraq during the sixth IAEA inspection; an in-depth analysis of current and past correspondence and records provided by Iraq; interviews with Iraqi personnel allegedly involved, or known to have relevant technical competence; interviews with private Iraqi civilians not employed by the Government; interviews with journalists associated with the documents; and the carrying out of on-site inspection activities, including environmental monitoring, using the most sensitive analytical techniques.

Based on the results of these activities and the IAEA's extensive knowledge of Iraq's past programme and present situation, a large number of errors and inconsistencies have been identified in the documents, typified by the following:

- Linguistic correctness and conformity with Iraqi practice:

  These documents contain technical wording which differs from that found in the IAEA's extensive database of seized Iraqi documents and terms which are not in conformance with standard Iraqi usage.

- Conformity of layout and construction of documents with established Iraqi practices:

  The layout of the documents is not consistent with contemporary Iraqi usage. In addition, the documents reveal errors in construction, suggesting poor adaptation of authentic Iraqi documents.

- Scientific validity:

  Some technical elements of the programme, inferred from the documents, have been assessed as unlikely by experts from Nuclear Weapon States. Some of those elements are also inconsistent with available information on the status of Iraq's clandestine programme during the last years of the programme.

- Accuracy:

  Significant inaccuracies in qualifications, titles and names of individuals, as well as in technical and administrative organizational structures, have been clea ly established.

The investigation undertaken by the IAEA and the basis for its conclusions have been comprehensively documented. In view, however, of the sensitive nature of the subject and of the process, it is considered prudent to keep this documentation confidential.

As a result of this investigation, the IAEA has reached the conclusion that, on the basis of all evidence available, these documents are not authentic. Furthermore, no credible evidence was found to suggest that the activities reported in these documents were or are being carried out in Iraq.

It should be noted that the IAEA will continue, under its ongoing monitoring and verification plan, to actively pursue any evidence that might point to the conduct of activities proscribed under the relevant Security Council resolutions.

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24 July 1995

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LETTER DATED 24 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letter dated 12 July 1995 of the Chargé d'affaires of the Permanent Mission of the Libyan Arab Jamahiriya addressed to you and contained in Security Council document S/1995/566 of the same date, I would like to bring to your attention the fact that Turkey has always attributed utmost importance to the preservation of the sovereignty and territorial integrity of Iraq, a country with which it maintained close political and economic relations, emanating from a common historical background. However, it is to be noted that safeguarding its own territorial integrity and security is no less important for Turkey.

As Iraq has not been able to exercise its authority over the northern part of its country since 1991 for reasons well known, Turkey cannot ask the Government of Iraq to fulfil its obligation, under international law, to prevent the use of its territory for the staging of terrorist acts against Turkey. Under these circumstances, Turkey's resorting to legitimate measures which are imperative to its own security cannot be regarded as a violation of Iraq's sovereignty. No country could be expected to stand idle when its own territorial integrity is incessantly threatened by blatant cross-border attacks of a terrorist organization based and operating from a neighbouring country, if that country is unable to put an end to such attacks. The recent operations of limited time and scope were carried out within this framework, as explained to the world public.

The allegation that Turkey is persecuting its own people is not worthy of a response.

The combat against all kinds of terrorism requires effective international cooperation between all members of the international community, including the Libyan Arab Jamahiriya.

Being confident that the foregoing will help to clarify the matter, I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Hayati GÜVEN
Deputy Permanent Representative
Chargé d'affaires a.i.

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24 July 1995

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IDENTICAL LETTERS DATED 24 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF BANGLADESH TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to bring to the attention of the Security Council the urgent situation now prevailing in Bihac. The Bihac pocket has been under continuous and intensified attack by local Serb/Abdic forces during the last few days and subject to heavy shelling. The Serb offensive has now been launched from three sides and there are reports that the villages of Trazac and Sturlic have been taken. Bangladesh is seriously concerned about the situation in Bihac, where more than 1,200 Bangladeshi soldiers are deployed as part of the United Nations Protection Force (UNPROFOR).

Apart from standing resolutions of the Security Council, particularly 824 (1993) of 6 May 1993, 836 (1993) of 4 June 1993 and 959 (1994) of 19 November 1994, which clearly laid down the UNPROFOR mandate to protect the safe areas and to authorize the use of air power, the recent London Conference on Bosnia on 21 July 1995 also decided to take all necessary measures, including air strikes, to ensure the safety of enclaves in the Republic of Bosnia and Herzegovina. We would, therefore, urge that the Security Council take forthright action for immediate deployment of the Rapid Reaction Force to all enclaves at present under attack, including Bihac, as well as to launch air strikes to deter Serb aggression against these United Nations-designated safe areas. Bangladesh clearly believes that what is required now is decisive action through effective measures in support of enforcing UNPROFOR's mandate.

I would be grateful if this letter could be circulated as a document of the Security Council.

(Signed) Reaz RAHMAN
Ambassador
Permanent Representative

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